

2597 Avery Avenue ● Memphis, Tennessee 38112-4892 ● (901) 416-5300

Reply to the office of:
Robin King
Business Support Specialist
Information Technology Division
Phone (901) 416-1243
FAX (901) 416-5332

CC Docket No. 02-6 and CC Docket No. 96-45 Request for Review and Wavier Request

RE: Appeal of Good Samaritan Request Dismissal Letter for Mendal Rec Its School District and Wajver of Appeal Deadline

Date: May 26, 2009

Good Samaritan Request dated 01/22/2009

Good Samaritan Request Dismissal Letter dated 3/04/2009

Applicant Name: Memphis City School District

Form 471 Application Number: 598012

Billed Entity Number: 128441

Funding Request Number: 1683985

Funding Year: 2008

FILED/ACCEPTED

MAY 2 8 2009

Federal Communications Commission Office of the Secretary

Appeal Request: Form 471 Application # 598012 for Telecomm Services for the 2008 year was funded on 11/05/2008. A Good Samaritan Request was sent to the Skip-by-Memphis City School District as the provider of the service changed ownership and the new owner does not have a SPIN. Thus, Memphis City School District has not been able to seek BEAR retribursements for the service. The Good Samaritan Request was dismissed by the Schools and Libraries Division with an explanation of:

"Based on our records FRN 1683985 reflects the service provider, Bell-Industries, Inc. SPIN # 143031633; however, the invoices support the business name Skytel which is a non participant in the program. Therefore your request for a Good Samaritan is dismissed.

We would like to appeal this decision and are making a Requestifor Review to the FCC as Memphis City believes it has filed all the E-rate forms appropriately and followed the SLD's guidance. We believe the SLD errad in its decision.

Waiver Request: We would like to request a waiver of the 60 day appeal deadline. The date of the SLD's Good Samaritan Request Dismissal Letter is March 04, 2009; hewever, the SLD's dismissal letter was not received by Memphis City School E strict until April 28, 2009 (via fax). Although, the date of this appeal is more than 60 days after the date of the SLD's Dismissal Letter, Memphis City contends we could not respond within 60 days o. the dismissal letter and two not received until April 28, 2009 and an appeal could not be filled until the letter was received explaining the reason for the dismissal. Enclosed is information/log regarding communication with the SLD in trying to determine the status of our Good Samaritan request and in obtaining the SLD's dismissal letter regarding our request. Therefore, we respectfully request a waiver of the Commission's appeal filing deadline.

Applicant Explanation:

2007 Year: Memphis City School District posted a Form 470 for Pager services on 11/15/2006. A contract was awarded and signed on 2/7/1007. The vendor listed in the contract indicates SkyTel, a division of Bell Industries, Inc. and that as of 2/1/2007 Bell Industries, Inc. acquired SkyTel. Thus, SkyTel became a division of Bell Industries, Inc. and operated under the brand name of "SkyTel". Given that SkyTel is only a division or trade name of Bell Industries, Bell Industries is truly the vendor and the correct SPIN. 471 # 563332 was originally filed with an SLD Interim SPIN of 143666666 as

No. of Copies read (

Bell Industries did not have a SPIN. Memphis City worked with Rechel Dela Isla, BCD Customer service at USAC, regarding the appropriate SPIN to Ms. Dela Isla was able to provide the SPIN of 143031633 for Bell Industries, Inc. As such, this is the SPIN that has been used for this service. Funding for the 2007 year was approved and Bell Industries processed the BEAR payment with Memphis City School District.

2008 Year: On 2/1/2008, Memphis City School Disast filed Form 471 # 598012 for pager service with Bell Industries, Inc. SPIN 143031633 under the briginal Form 470 # 275680000595176. On 6/16/08, before the start of the funding year but after the filing of the Form 471, Bell Industries sold the SkyTel division to Velocita Wireless. Velocita Wireless does not have a SPIN. We have contacted Velocita Wireless several times requesting their assistance # \$2008 BEAR payment process and they have refused to assist us or to obtain a SPIN number assistance and they have refused to assist us or to obtain a SPIN number assistance and the second second

Throughout the funding year, we have received the pager service and paid 100% for the service.

The invoices and canceled checks documenting the were sent to the SLD during the Good

Samaritan Review.

Relief Requested

We believe our circumstance meets the conditions recessary to warrant approval of our Good Samaritan request. We have filed all the E-rate forms appropriately and followed the SLD's guidance. We believe the SLD erred in its decision and seek help in guiting our Good Samaritan Request approved so we can seek BEAR reimbursement.

Additionally, we request a waiver of the appeal deadline as even after several requests Memphis City did not receive the Good Samaritan dismissal letter from the SLD until April 28, 2009.

We look forward to your resolution of this appeal and are available to answer any other questions you may have. Thank you for your assistance.

Sincerely,

Robin King

Business Support Specialist

Contact Information:

Robin King
Memphis City School District
2597 Avery Ave.
Memphis, TN 38112
901-416-1243

Kingr1@mcsk12.net Fax: 901-416-5332

Enclosures:

USAC Good Samaritan Request Dismissal Letter dated March 04, 2009
Log Re Good Samaritan Request with SLD for 471 and cation # 598012
Fax transmittal from SLD, PIA Invoicing dated April 2, 2009
Memphis City Good Samaritan Request dated January 25, 2009
USAC Good Samaritan Request dated January 25, 2009
Memphis City response to USAC Good Samaritan Request dated February 2, 2009
Email from Rachel Dela Isla, SLD, dated 8/14/200
SkyTel/Bell Industries Contract page
471 Application # 598012 for 2008 Funding Year
Form 470 # 275680000595176
471 Application # 563332 for 2007 Funding Year (sfigwing SPIN # 143031833)

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GOOD SAMARITAN REQUEST DISMISSAE LETTER

March 04, 2009

MEMPHIS CITY SCHOOL DISTRICT , ROBIN KING 2597 AVERY AVE MEMPHIS, TN 38112

Re:

Application Number:

-598012

Funding Request Number:

1683985

Funding Year:

2008

Dear Applicant:

After review and investigation of your letter seeking BEAR payment assistance through a Good Sameritan Service Provider, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company has made the following determination:

Based on our records FRN 1683985 reflects the service provider, Bell hidustries, Inc. SPIN # 143031633; however the invoices support the business name Skytel which is a non participant in the program. Therefore your request for a Good Sameritan is dismissed.

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission (FCC). You should refer to CE Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or partial and within 50 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

Thank you for your interest in the Schools and Libraries Universal Service Program.

Schools and Libraries Division
Universal Service Administrative Company

Log Re Good Samaritan Request with SLD for 471 Application # 598012:

1/22/09 - Memphis City sent Good Samaritan Request to Schools and Libraries Division (SLD)

1/26/09 -Memphis City received information request from the SLD regarding the Good Samaritan Request

2/2/2009 - Memphis City sent information to SLD that was requested on 1/26/09

2/12/09 - Robert Cole, SLD, informed Robin King (Memphis City School District) that the request was moved to USAC for approval

3/9/09 - Robin King (Memphis City School District) called Robert Cole, SLD, to check on status of request

3/13/09 - Robin King (Memphis City School District) again called Robert Cole, SLD, to check on the status of the request. At that time Memphis City was informed that the Good Samaritan Request was dismissed and that they should receive a letter indicating this.

3/24/09 - -- Robin King (Memphis City School District) called Report Cole; Still; again to inform him that Memphis City had not yet received a letter regarding the Good Samaritan's dismissal.

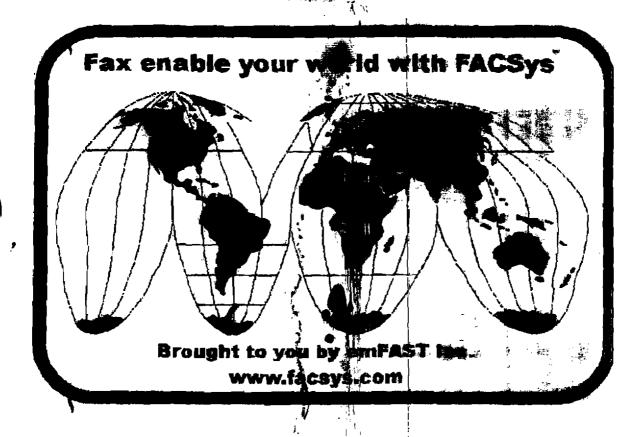
4/24/09 - - Robin King (Memphis City School District) called Rebest Cole, SLD; again to inform him that Memphis City still had not yet received a letter regarding the Good Samaritan's dismissal so that an appeal could be filed. Mr. Cole, SED, indicated he would have someone call regarding the letter.

4/27/09 - Robin King (Memphis City School District) called Pam Geiger, SLD, regarding obtaining a copy of the SLD's dismissal letter. Ms. Geiger, SLD, indicated she would ensure Memphis City received a copy of the dismissal letter. Ms. Geiger emailed a copy on 4/27/09 but the attachment would not open Memphis and requested a faxed copy of the SLD's dismissal letter.

4/28/09 – Memphis City received a faxed copy of the SLD's dismissal letter (see enclosed fax cover page and dismissal letter received).

Post Commisment Operations Post Commisment Operations
Schools and Libraries Division
Schools and Libraries Division
P. Box 902 • 100 South Jefferson Road • Whippany • NJ • 07.
Tel: (973) 581-5122 © Pax: (973) 589-5539 ©E-mail: Double Versalian/docum

Fax from SLD dated 4-28-09 with Good Samaritan Dismissal FACSys Fax Mes. ging Gateway



PIAinvoicing

G\$ Case# 2127 Memphis City School

From:

Subject:

Pages:

To: Robin King

Fax Number: 1-901-416-5332

Date: April 28, 2009

Time: 3:55;42 PM

Note:

Atello Robin,

I was informed that you didn't receive your Good Sameritan Notification Latter for the Memphis City School District. I've included a copy; see attached.

Loraine Hunsinger



GOOD SAMARITAN REQUEST DISMISSAL LETTER

March 04, 2009

MEMPHIS CITY SCHOOL DISTRICT ROBIN KING 2597 AVERY AVE MEMPHIS, 1N 38112

Re:

Application Number:

598012

193

Funding Request Number:

1683985

Funding Year:

800

Dear Applicant:

After review and investigation of your letter seeking BEAR payment assistance in the Universal Service Provider, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company has made the following determination:

Based on our records FRN 1683985 reflects the service provider, Bell Industries, Inc. SPIN # #18031633; however the invoices support the business name Skytel which is a non participant in the program. Therefore your request for a Good Samaritan is dishrissed.

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission (FCC). You should refer to CC Dectains, 02-5 outlier first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in substants distributed your appeal. If you are submitting your appeal via United States Postal Service; sand to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filling an appeal directly with the FCC can be found in the "Appeals Procedure Westrongly recommend that you use the electronic filling options.

Thank you for your interest in the Schools and Libraries Universal Service Program.

Schools and Libraries Division
Universal Service Administrative Company

Box 125 - Correspondence Unit, 80 Smith Jefferson Rolls, Wilippery, New Jersey 0798:

Good Samaerlo



2597 Avery Avenue • Memphis, Tennessee 38112-4892 • (901) 416-5300

Reply to the office of: Robin King Business Support Specialist Information Technology Division Phone (901) 416-1243 FAX (901) 416-5332

Јапцагу, 22. 2009

TO: Schools and Libraries Division

From: Robin King

RE: Good Samaritan Request

Required Information+

Applicant's Name:

Memphis City School District

Applicant's Address:

2597 Avery Avenue

Memphis, TN 38112-4892

Form 471 #:

598012

FRN#:

1683985

Service Provider Name: Bell Industries, Inc.

Original SPIN:

143031633

Reimbursement:

\$49,896.00 (Funding Commitment Decision Letter Applicated Amount)

Bell Industries was the parent company for Skytel at the time Memphis City Schemi District filed their funding year 2008 application for pagers. On June 16, 2008 Velocita Wireless announced the purchase of Skytel from Bell Industries. Bell Industries will no longer act for Skytel. Velocita Witeless has not file for a SPIN or a SPAC for funding year 2008. I have tried every thing to get Velocita Wireless to provide Mamphis City School District the needed SLD SPIN and SPAC with no success. No one at Velocita Wireless will correspond with me as it related to a BEAR Memphis City School District is unable to BEAR curitie funding commitment decision approved by USAC. Memphis City School District has made all payments to Skytel as invoiced.

For this reason Memphis City School District is requesting that Education Networks of America (SPIN # 143030857) act as a Good Samaritan. Education Networks of America has said that they would assist Messahis City School District with this matter.

Your assistance is needed. Please advise me as to what I need to do to BEAR on the approved flatting.

If any additional information is required, please contract me via e-mail at MCS-Comments and 2 meter by télephone at 901-416-1243

Thank You





Schools & Libraries Division

GOOD SAMARITAN REQUEST

January 26, 2009

ROBIN KING MEMPHIS CITY SCHOOL DISTRICT 2597 AVERY AVE MEMPHIS, TN 38112

> Form 471 Application No: 598012 Funding Request Number: 1683985 Funding Year: 2008

Re: Good Samaritan Request

Dear ROBIN KING:

Thank you for your Good Samaritan request for Funding Year 2008. In order to continue the determination of the Good Samaritan eligibility, the following information needs to be submitted to my attention:

- (1) Copy of cancelled check(s) to the original provider for the applicable funding year.
- (2) Detailed invoice(s) supporting cancelled checks.
- (3) SPIN#, company name, contact name and phone number of the company that has agreed to act as the Good Samaritan.

Please fax this information to my attention at (973) 599-6567. If you have any questions regularly this process, please feel free to contact me at (973) 581-7516.

Thank you,

Robert Cole

Good Samaritan/Dunning Unit - Invoicing Dept. Schools and Libraries Division (USAC)

Date: February 2, 2009

To: Robert Cole

Good Samaritan/Dunning Unit - Invoice Dept.

Schools and Libraries Division (USAC)

RE: Form 471 Application No. 598012

Funding Request Number: 1683985

Funding Year: 2008

The company that has agreed to act as Good Samara

SPIN#: 143030857

Company Name:

ENA Services, LLC

Contact Name:

April Scott

Contact Phone #:

1-615-312-6152 or ascott@ena.com

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13 Page

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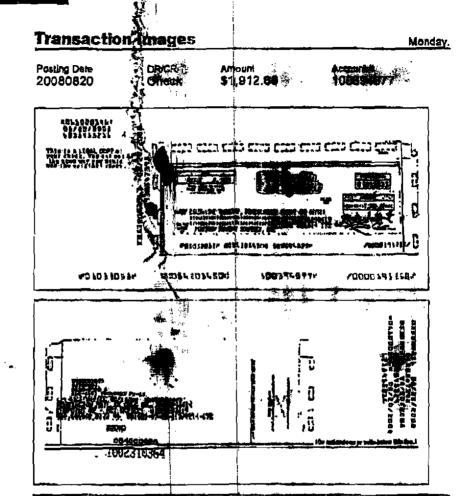
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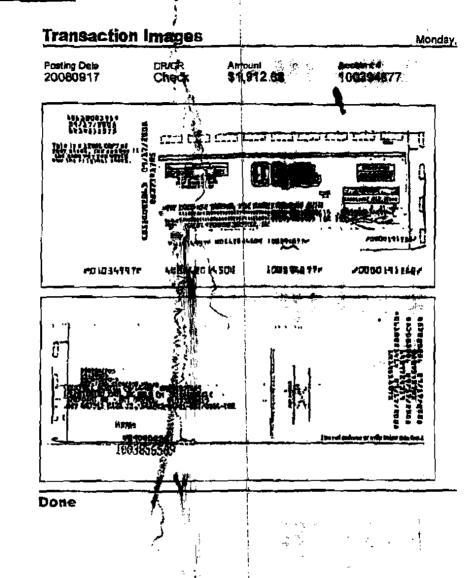
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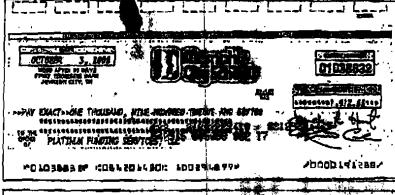


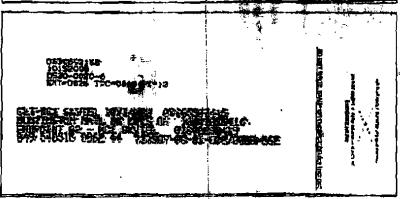
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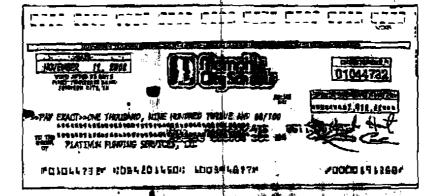
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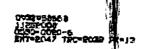
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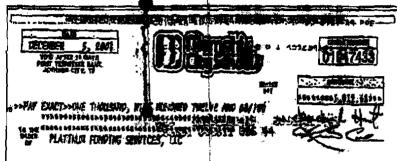
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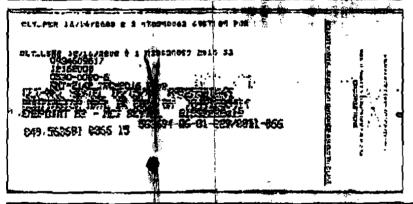


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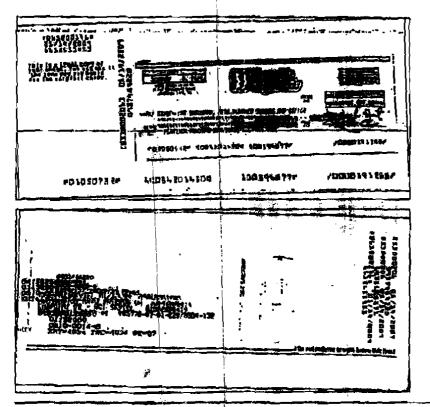
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SkyTel Customer Service

800-SKY-USER (1-800-759-8737)

Email: skyuser@skytel.com

FleetHawk Customer Service; 888-759-6818 • skytel-fleethawk@skytel.com

Pay your invoice online: www.skytel.com

Important Message

June 16, 2008 - VELOCITA WIRELESS ANNOUNCES THE PURCHASE OF SKYTEL FROM BELL INDUSTRIES!

Velocita will continue to provide SkyTel customers with the highest level of quality and reliability that they have comb to expect.

A press release is located on the Velocite website (www.velocitawireless.com) and the SkyTet website (www.skytel.com). If you have any questions about this acquisition, please contact SkyTel Customer Service at 1-800-SkyTel

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SkyTel Customer Service

1-800-SKY-USER (1-800-759-8737)

Emeil:skyuser@skytel.com

FleetHawk Customer Service: 888-759-8818 • skytel-fleethawk@mci.com

Pay your invoice online: www.stytel.com

Important Message

June 16, 2008 - VELOCITA WIRELESS ANNOUNCES THE PURCHASE OF SKYTEL FROM BELL INDUSTRIES]

Velocita will continue to provide S kyTel customers with the highest level of quality and reliability that they have come to expect.

A press release is located on the Velocita Michele (www.velocitawirelase.com) and the SkyTel website (www.skytel.com). If you have any questions about this acquisition, please contact SkyTel Customer Service at 1-800-SKY-USER.

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SkyTel Customer Service

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Email: skyuser@skytel.com

FleetHawk Customer Service: 688-759-6818 - skytel-fleethawk@mcl.com

Pay your invoice online: www.skytel.com

Important Message

June 18, 2008 - VELOCITA WIRELESS ANNOUNCES THE PURCHASE OF SKYTEL FROM BELL INDUSTRIES!

Velocita will continue to provide SkyTel customers with the highest level of quality and reliability that they have come to expect.

A press rejease is located on the Velocita website (www.velocitewireless.com) and he SkyTel website (www.skytel.com).
If you have any questions about this ecquisition, please contact SkyTel Customer Sarvice at 1-800-SKY-USER.

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Email:skvuser@skvtel.com

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TOTAL DUE 1,912.68

Velocita will continue to provide SkyTel customers with the highest level of quality and reliability that they have come to expect.

June 16, 2008 - VELOCITA WIRELESS ANNOUNCES THE PURCHASE OF

SKYTEL FROM BELL INDUSTRIES!

A press release is located on the Velocita website (www.velocitawireless.com) and the SkyTel website (www.skytel.com). If you have any questions about this acquisition, please contact SkyTel Customer Service at 1-800-Sky-USER.

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Philippin Funding Services LLC PM MD27 708497 CYCARL CRITE, NC 10072-0849

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500 CLINTON CENTER OF SUITE 2300 **CLINTON, MS 30056-5874**

MEMPHIS CITY SCHOOLS BETTY BORGER 2597 AVERY AVE **ROOM 130** MEMPHIS TN 38112-4818

INVOICE DATE INVOICE NUMBER ACCOUNT NUMBER DUE DATE

11/29/2008 08L6501445 5501445 NET 30



CK# 01047433

CURRENT 60 **TOTAL DUE** 1,912.68 .00

USAGE CHARGES FROM 10/25/2008 TO 11/24/2008, UNLESS OTHERWISE NOTED

SUMMARY OF INVOICE :

PREVIOUS BALANCE		1,912,68
PAYMENTS		1,912.88-
Current Charges		1,898.74
FEDERAL UNIVERSAL FEE		23,94
TOTAL CURRENT CHARGES		1,912.66
TOTAL DUE	•	1,912,68
	4	

SkyTel Customer Service 1-800-SKY-USER (1-800-759-8737)

Email:skyuser@skytei.com

Pay your invoice online: www.ekytel.com

Important Message

June 18, 2008 - VELOCITA WIRELESS ANNOUNCES THE PURCHASE OF SKYTEL FROM BELL INDUSTRIES!

Velocita will continue to provide SkyTel customers with the highest level of quality and reliability that they have come to expect.

A press release is located on the Velocita website (www.velocitawireless.com) and the SkyTel website (www.skytel.com). If you have any questions about this equisition, please contact SkyTel Lustomer Service at 1-800-SKY-USER.

FEDERAL TAX ID: 26-0335467

500 CUNTON CENTER DR SUITE 2300 CLINTON, MS 39056-5674

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INVOICE DATE SE INVOICE NUMBER SE AGGOUNT NUMBERS 11/29/2008 08LS501445 5501445 DUE DATE NET 10 TOTAL DUE 1,812.88

Amount

Enclosed

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CHARGETE, NO 28

To charge this amount to your credit order, please see other side

X SKYTEL

500 CLINTON CENTER DR SUITE 2300 CLINTON, MS 38056-5574

MEMPHIS CITY SCHOOLS BETTY BORGER 2597 AVERY AVE ROOM 130 MEMPHIS TN 38112-4818 U72130

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INVOICE DATE INVOICE NUMBER ACCOUNT NUMBER DUE DATE 12/27/2008 09A5501445 5501445 NET 30



CK# 01030752

SkyTel Customer Service

1-800-SKY-USER (1-800-759-8737)

Email:skyuser@skytel.com

CURRENT 30 60 50 1,912.68

USAGE CHARGES FROM 11/25/2008 TO 12/23/2008, UNLESS OTHERWISE NOTED

SUMMARY OF INVOICE

Pay your invoice online: www.skytel.com

Important Message

June 16, 2008 - VELOCITA WIRELESS ANNOUNCES THE PURCHASE OF SKYTEL FROM BELL INDUSTRIES!

Velocita will continue to provide SkyTel customers with the highest level of quality and reliability that they have come to expect.

A press release is located on the Velocita website (www.velocitawireless.com) and the SkyTi timbsite (www.skytel.com). If you have end questions about this acquisitions lease contact SkyTel Customer Service at 1-800-SKY-USER.

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TOTAL DUE

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FEDERAL TAX ID: 26-0335467

KSkyTel

500 CLINTON CENTER OR SUITE 2300 CLINTON, MS 38058-5874

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: Amount : Enclosed 1,912.68

Make offects payable to: Platinum Funding Services LLC

Platinam Funding Services LLC PO BOX 70049 CHARLONTE, NC 28272-1849

To charge this ornaud to your credit part, please see other side

Email From Ms. Dela Isle, USAC, regarding Using Bell Industries SPIN# 143031633

"Dela Isla, Rachel" <RDELAIS@sl.unive rsalservice.org>

08/14/2007 07:59 AM "Robin Kind/Admin/Avery/MCS" Kingn10mcsk12.net>

CC

To

RE: SKYTEL - MENERE PACING CONTRACT - EIP STATUS APPROVED

Yes, SPIN 143031633 is now an eligible Telecom Provider.

Regards,
Rache Dela Isla
973-581-5053

----Original Message---From: Robin King/Admin/Avery/MCS (mailto:kingrl@meskl2.net)

Sent: Monday, August 13, 2007 2:00 PM

To: Dela Isla, Rachel

Subject: Fw: SKYTEL - MEMPHIS PAGING CONTRACT - ETP STATUS APPROVED

Rachel please advise me. I see you received the e-mail from Cutrie with skytel. Is it OK for MCS to proceed with the contract with Skytel under e-rate requirements?

I will wait for your response.

TEAMWORK IS THE BEST WAY TO COMPLETE A 2008 WITH EASE!!!

Robin M. King - PMP
Business Support Analyst
MCS-Department of Information Technology
Phone: (901) 416-1243
Fax: (901) 416-5332

E-Mail: Kingrl@mcskl2.net

--- Forwarded by Robin King/Admin/Avery/MCS on 08/13/2007 12:56 PM ----

"Dale, Curtis" ; <curtis.dale@skyt el.com>

08/13/2007 12:46 PM kobin King/Admin/Avery/MCS" ingrl@mcskl2.net>

"Dale, Curtis"

*curtis.dale@skytel.com>, "Mir.

*Kathie" <kathies@rreskyter.com>,

To

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**Rolemore, Angela R \(Angie\)"

**Lingela molemore@skytel.com>, "Dela

**Lista, Rachel"

**CRDEDAIS@sl.universalservice.org>

**Subject*

**SKYTEL - MEMPHIS PAGING CONTRACT
**ETT STATUS APPROVED

Hi Robin,

As per your request, below is the confidence on entil (son BCD customer service that confirms Bell Industries (service perent company) approved by status.

Please confirm with me at your earliest convenience when you will be able to accept delivery of the pagers.

If you have any questions or need any additional info, please lot me know.

Thanks,

Curtis

From: BCD Customer Service [mailto:bcd.customerservice@usac.org]

Sent: Monday, August 13, 2007 12:48 PM